

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, July 17, 1979 at 7:30 P.M.

Present: Allen M. Smith, Supervisor  
George G. Young, Councilman  
Francis E. Menendez, Councilman  
John Lombardi, Councilman  
Antone J. Regula, Councilman

Also present: Henry S. Saxtein, Town Attorney

Absent: Alex E. Horton, Supt. of Highways

Supervisor Smith called the meeting to order at 7:30 P.M., and the Pledge of Allegiance was recited.

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Minutes of the Town Board Meeting held June 19, 1979 and the Special Town Board Meeting held June 28, 1979, be approved as submitted.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#### BILLS

Bills submitted on abstract dated July 17, 1979 as follows:

General Town	\$40,109.20
Capital Projects	\$ 6,101.74
Community Development	\$ 6,469.01
Highway Item #1	\$39,268.36
Highway Item #3	\$ 7,370.16
Highway Item #4	\$ 717.52

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

RESOLVED, That subject to complete audit, the following bills be approved for payment.

General Town	\$40,109.20
Capital Projects	\$ 6,101.74
Community Development	\$ 6,469.01
Highway Item #1	\$39,268.36
Highway Item #3	\$ 7,370.16
Highway Item #4	\$ 717.52

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#### APPLICATIONS

Site Plan - Joseph & Doris Zinna (metal storage building, Hubbard Avenue, Riverhead). Filed.

Supervisor Smith: "Under application's the matter of Mr. and Mrs. Zinna which is known as Riverhead Brake, has been around for a while. It is the addition of a building or a shed on what would be the south westerly side of that particular building and the construction of a new storage building on Hubbard Avenue. That application will be the subject of a resolution later on this evening. If anybody is here to address that particular site plan, please ask for a copy. We'll make it available to you.

We have four separate hearings on from 8:00 until 8:45. If you are hereto speak on anyone of those, would you kindly wait until the public notice of the hearing you are interested in is called and we will listen to what you have to say."

#### COMMUNICATIONS

Catherine Miller, 7/11/79 - tenders resignation of position in Building Department. Filed.

H2M Corp., 7/12/79 - suggests advertising for bids re: Tide Woods renovation of drainage. Filed.

Southampton Town - Notice of Adoption of amendment to Zoning Ordinance, site plan. Filed.

Suffolk County Dept. of Planning, 7/13/79 - re: Amended zoning ordinance of Southampton, (front lot line and site plan requirements) assuming no objection if not recieved by 8/2/79. Filed.

COMMUNICATIONS - continued  
Brookhaven Town, 7/11/79 - Notice of Adoption to  
Chapter 85, Brookhaven Code (historic districts and model  
homes). Filed.

UNFINISHED BUSINESS  
Magee Service - Special Permit application for 10,000  
gallon fuel tank on Route 58.

Ray McKay - Site plan application for fish stand on  
Route 25, Aquebogue.

Courage Realty - Special Permit application for gas  
station, Route 25, Jamesport.

Brasby's - Application for directional sign.

Frank Schlegel - Special Permit application for  
storage building, Route 25, Calverton.

Larry Galasso - Zone Change application, Ag. to Bus.  
B., Route 25, Aquebogue.

Supervisor Smith: "Under unfinished business the  
Magee Service station application will be the subject of our  
second hearing.

Mr. McKay is still before the Planning Board.

Courage Realty is also the subject of a resolution  
this evening.

The application of Mr. Schlegel is the subject of  
a resolution calling a public hearing. We are not prepared  
to act on the application of Mr. Galasso this evening.

There's a resolution on Brasby's.

That brings us to that portion of the agenda where  
we will listen to anyone wishing to speak. If you are here,  
however, to address the Town Board on any of these public  
hearings, I would ask that you save your comments until  
those hearings are closed. If you are here to comment on  
matters other than those of the public hearings, now's your  
time. Does anybody wish to speak?"

No one wished to be heard at this time.

RESOLUTIONS

Before the following resolution was offered, Supervisor Smith stated: "Ladies and gentlemen, resolutions on our agenda numbered 332 through 339 deal with the overtime, recall, court time pay for our police employees and the civilian employees in the Police Department. Is anybody particularly interested in hearing Doctor Menendez read these off one at a time? There appearing to be no one who wishes to have those resolutions read in full, they are available in the Clerk's Office, if you are interested."

#332 AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid overtime pay from April 1, 1979 to and including June 30, 1979 and including two dates in March, 1979, as per agreement between the Town Board of the Town of Riverhead and the P.B.A.

1.	Alexander, F.	4-22-79	1.5 hrs.	\$ 21.71	
		5-28-79	1.5 hrs.	<u>21.71</u>	\$ 43.42
2.	Curven, E.	6-03-79	6 hrs.		87.67
3.	Densieski, A.	3-22-79	4 hrs.	55.66	
		5-21-79	3.5 hrs.	48.71	
		5-22-79	4 hrs.	55.66	
		6-17-79	.75 hrs.	10.44	
		6-24-79	.75 hrs.	<u>10.44</u>	180.91
4.	Dorfer, T.	5-09-79	2.5 hrs.	34.79	
		6-06-79	.5 hrs.	<u>6.96</u>	41.75
5.	Dunleavy, J.	4-14-79	1 hr.	14.47	
		5-12-79	1.17 hrs.	16.93	
		5-30-79	.5 hrs.	7.24	
		6-31-79	.75 hrs.	10.86	
		6-23-79	8 hrs.	<u>115.79</u>	165.29
6.	Foote, F.	4-13-79	1.17 hrs.	16.28	
		4-20-79	.75 hrs.	10.44	
		5-13-79	.5 hrs.	6.96	
		5-18-79	1.58 hrs.	21.99	
		5-20-79	.83 hrs.	11.55	
		5-22-79	1.75 hrs.	24.35	
		5-13-79	.42 hrs.	<u>5.84</u>	97.41
7.	Gianni, V.	4-19-79	2 hrs.	27.83	
		6-16-79	8 hrs.	<u>111.33</u>	139.16

RESOLUTIONS - continued

8.	Green, D.	4-04-79	.75 hrs.	\$ 10.44	
		4-11-79	.25 hrs.	3.48	
		5-19-79	1 hr.	13.92	
		5-29-79	1 hr.	13.92	
		6-03-79	1 hr.	<u>13.92</u>	\$ 55.68
9.	Keller, B.	6-16-79	5.5 hrs.		76.54
10.	Kurpetski, J.	4-06-79	4.5 hrs.		65.13
11.	McDonald, O.	4-15-79	4.5 hrs.		62.62
12.	Mickoliger, L.	6-23-79	8 hrs.		111.33
13.	Miller, D.	6-15-79	8 hrs.		111.33
14.	Paasch, P.	5-20-79	5.25 hrs.		75.99
15.	Psaltis, J.	4-27-79	2.5 hrs.	34.79	
		5-17-79	.33 hrs.	<u>4.59</u>	39.38
16.	Quinn, R.	5-21-79	2 hrs.	29.22	
		6-03-79	1.75 hrs.	<u>25.57</u>	54.79
17.	Rodgers, F.	6-10-79	1 hr.		13.92
18.	Romaniello, F.	4-26-79	2.5 hrs.	34.79	
		4-29-79	8 hrs.	111.33	
		6-17-79	8 hrs.	<u>111.33</u>	257.45
19.	Sadowski, E.	4-01-79	3.25 hrs.		47.94
20.	Troyan, P.	3-18-79	.42 hrs.	5.84	
		4-08-79	2 hrs.	27.83	
		6-13-79	1 hr.	<u>13.92</u>	47.59
21.	Witt, W.	5-30-79	3.25 hrs.	45.23	
		6-24-79	.75 hrs.	<u>10.44</u>	55.67
22.	Yakaboski, D.	6-03-79	1.5 hrs.		20.87
23.	Zaleski, J.	6-03-79	1 hr.		<u>13.92</u>

TOTAL \$1,865.76

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes,  
Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

## RESOLUTIONS - continued

#333

AUTHORIZES RECALL/COURT PAY FOR POLICE OFFICERS

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid Recall/Court Pay from April 1, 1979 to and including June 30, 1979, including one date in March, 1979, as per agreement between the Town Board of the Town of Riverhead and the P.B.A.

1.	Alexander, F.	3-30-79	4	hrs.	\$ 57.90	
		5-29-79	4	hrs.	57.90	
		6-27-79	4	hrs.	<u>57.90</u>	\$ 173.70
2.	Dorfer, T.	6-03-79	4.5	hrs.		62.62
3.	Foote, F.	5-01-79	8	hrs.	111.33	
		5-21-79	8	hrs.	<u>111.33</u>	222.66
4.	Gianni, V.	6-03-79	4.5	hrs.	62.62	
		6-27-79	4	hrs.	<u>55.66</u>	118.28
5.	Green, D.	4-03-79	4	hrs.	55.66	
		4-30-79	8	hrs.	111.33	
		5-27-79	4	hrs.	<u>55.66</u>	222.65
6.	Griffing, L.	6-30-79	8	hrs.		115.79
7.	Keller, B.	5-09-79	4.25	hrs.		59.14
8.	Paasch, P.	5-31-79	4	hrs.	57.90	
		6-25-79	4	hrs.	57.90	
		6-27-79	4	hrs.	<u>57.90</u>	173.70
9.	Psaltis, J.	6-22-79	12	hrs.		166.99
10.	Quinn, R.	4-16-79	4	hrs.	58.45	
		5-09-79	4.25	hrs.	<u>62.10</u>	120.55
11.	Rodgers, F.	6-03-79	4.5	hrs.		62.62
12.	Romaniello, F.	6-03-79	4.5	hrs.		62.62
13.	Sadowski, E.	5-29-79	4	hrs.	59.00	
		6-03-79	6.5	hrs.	<u>95.88</u>	154.88
14.	Troyan, P.	4-03-79	4	hrs.		55.66
15.	Witt, W.	5-19-79	8	hrs.	111.33	
		6-03-79	5.5	hrs.	<u>76.54</u>	<u>187.87</u>
TOTAL						\$1,959.73

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#334      RESOLUTIONS - continued  
AUTHORIZES OVERTIME PAY FOR POLICE OFFICERS UNDER  
FEDERAL REVENUE SHARING

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid overtime pay from April 1, 1979 to and including June 30, 1979, to be paid from Federal Revenue Sharing.

1.	Cheshire, D.	6-03-79	1	hr.		\$ 12.19
2.	Pleickhardt, J.	4-09-79	8	hrs.	\$111.33	
		4-16-79	3.5	hrs.	48.71	
		4-19-79	.5	hrs.	6.96	167.00
3.	Swiatocha, J.	6-14-79	3.08	hrs.	37.54	
		6-16-79	3.58	hrs.	43.64	81.18
4.	VonVoigt, R.	6-03-79	1	hr.		13.92
5.	Weinand, D.	6-15-79	8	hrs.		111.33
6.	Woods, K.	4-28-79	5	hrs.	69.58	
		5-09-79	2.5	hrs.	34.79	
		6-08-79	7.5	hrs.	104.37	208.74
					TOTAL	\$594.36

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#335      AUTHORIZES RECALL/COURT PAY FOR POLICE OFFICERS FROM  
FEDERAL REVENUE SHARING

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Police Officers be paid Recall/Court pay from April 1, 1979 to and including June 30, 1979, to be paid from Federal Revenue Sharing.

1.	Pleickhardt, J.	4-03-79	4	hrs.		\$ 55.66
2.	Swiatocha, J.	4-08-79	8	hrs.		97.51
3.	Woods, K.	6-03-79	4.5	hrs.		62.62
					TOTAL	\$215.79

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

#336

AUTHORIZES RECALL/COURT PAY FOR DETECTIVES

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Detectives be paid for Recall/Court pay from April 1, 1979 to and including June 30, 1979, as per agreement between the Town Board of the Town of Riverhead and the P.B.A.

1.	Boden, H.	4-04-79	4	hrs.	\$ 61.22	
		4-19-79	4	hrs.	61.22	
		5-21-79	4	hrs.	61.22	
		6-21-79	4	hrs.	<u>61.22</u>	\$244.88
2.	Palmer, W.	4-01-79	4	hrs.	61.88	
		6-05-79	4	hrs.	61.88	
		6-08-79	4	hrs.	61.88	
		6-18-79	9	hrs.	<u>139.23</u>	324.87
3.	Summerville, A.	5-11-79	4	hrs.	61.88	
		5-12-79	4	hrs.	61.88	
		5-13-79	4	hrs.	61.88	
		5-20-79	4	hrs.	61.88	
		6-13-79	6.5	hrs.	100.56	
		6-18-79	9.5	hrs.	<u>146.97</u>	495.05
4.	Underwood, R.	4-07-79	4	hrs.	67.35	
		6-03-79	6	hrs.	<u>101.03</u>	<u>168.38</u>
					TOTAL	\$1,233.18.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#337

AUTHORIZES OVERTIME PAY FOR LIEUTENANTS AND SERGEANTS

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Lieutenants/Sergeants be paid Overtime Pay from April 1, 1979 to and including June 30, 1979, as per agreement between the Town Board of the Town of Riverhead and the P.B.A.

1.	Droskoski, W.	6-03-79	2.5	hrs.		\$ 43.54
2.	Grattan, L.	6-03-79	2	hrs.		34.83
3.	Seaman, J.	5-22-79	2	hrs	\$32.23	
		6-24-79	1	hr.	<u>16.11</u>	48.34
					TOTAL	\$126.71

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.



RESOLUTIONS - continued#338 AUTHORIZES RECALL/COURT PAY FOR SERGEANTS

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Sergeants be paid Recall/Court pay from April 1, 1979 to and including June 30, 1979, as per agreement between the Town Board of the Town of Riverhead and the P.B.A.

1.	Becht, J.	6-03-79	4.5	hrs.		\$ 72.51
2.	Grossman, A.	6-10-79	8	hrs.		123.95
3.	Seaman, J.	4-16-79	4	hrs.	\$64.45	
		6-28-79	4	hrs.	<u>64.45</u>	<u>128.90</u>
TOTAL						\$325.36

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#339 AUTHORIZES OVERTIME PAY FOR CIVILIAN EMPLOYEE

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following Civilian Employee of the Riverhead Police Department be paid overtime pay from April 1, 1979 to and including June 30, 1979.

1.	Sargent, C.	5-14-79	2.5	hrs.	\$13.80
		6-03-79	7	hrs.	38.64
		6-13-79	8	hrs.	<u>44.16</u>
TOTAL					\$96.60

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#340 AUTHORIZES TOWN CLERK ADVERTISE FOR BIDS RE: TIDEWOODS DRAINAGE

Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

RESOLVED, That the Town Clerk be, and is hereby authorized to publish and post an advertisement for bids for the renovation of existing storm drainage facilities in Tidewoods, to be published in the News-Review on July 26, 1979 and said bids to be opened on Thursday, August 16, 1979, at the Town Clerk's Office in Town Hall.

RESOLUTIONS - continued

Notice is hereby given that SEALED PROPOSALS for the Construction of the Storm Drainage Facilities will be received by the Town of Riverhead at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 A.M., Prevailing Time on Thursday, August 16, 1979, at which time and place they will be publicly opened and read aloud for the following contract:

RENOVATION OF EXISTING STORM DRAINAGE FACILITIES  
AT "TIDEWOODS", WADING RIVER

Plans and Specifications may be obtained at either the Town Clerk's Office and/or the offices of the Consulting Engineers, HOLZMACHER, McLENDON & MURRELL, P.E., Room 208, 560 Broad Hollow Road (Route 110), Melville, New York 11747, or 40 West Main Street, Riverhead, New York, 11901, upon deposit of Twenty-Five Dollars (\$25.00) for each set furnished.

Deposits for plans and specifications will be refunded to bidders who return plans and specifications within ten (10) days in good condition; other deposits will either be partially or not refunded if the plans and specifications have not been returned in good condition within thirty (30) days after bids have been opened.

Each proposal must be accompanied by either a Bid Bond or Certified Check in the amount of five percent (5%) of the total bid, made payable to Allen M. Smith, Supervisor, TOWN OF RIVERHEAD, as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities and to accept the lowest responsible bid which, in the opinion of the Town Board, is in the best interests of the Town.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#341     AUTHORIZES TOWN CLERK PUBLISH & POST NOTICE OF ESTOPPEL  
RE:   SANITARY LANDFILL MACHINERY

Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

RESOLVED, That the Town Clerk be, and is hereby authorized to publish and post the Legal Notice of Estoppel regarding a bond resolution adopted by this Board on May 15, 1979 authorizing the purchase of machinery and apparatus for use at the Sanitary Landfill.

RESOLUTIONS - continuedLEGAL NOTICE

NOTICE IS HEREBY GIVEN That the resolution published herewith has been adopted by the Town Board of the Town of Riverhead, Suffolk County, New York, on the 15th day of May, 1979, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. Such resolution was subject to a permissive referendum and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has been submitted and filed.

BOND RESOLUTION DATED MAY 15, 1979.

A RESOLUTION AUTHORIZING THE PURCHASE OF MACHINERY AND APPARATUS FOR USE AT THE SANITARY LANDFILL IN AND FOR THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$235,000, AND AUTHORIZING THE ISSUANCE OF \$223,500 SERIAL BONDS AND \$11,750 CAPITAL NOTES OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, By the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. The purchase of machinery and apparatus for use at the sanitary landfill, in and for the Town of Riverhead, Suffolk County, New York, at a maximum estimated cost of \$235,000, is hereby authorized.

Section 2. The maximum estimated cost of such class of objects or purposes is \$235,000. and the plan for the financing thereof is as follows:

- a) By the issuance of \$223,250 serial bonds of said Town, hereby authorized to be issued pursuant to the Local Finance Law; and
- b) By the issuance of \$11,750 capital notes of said Town hereby authorized to be issued pursuant to the Local Finance Law. Such capital notes shall be sold at private sale and all further powers in connection with the details and the sale thereof are hereby designated to the Supervisor, the chief fiscal officer, in accordance with the Local Finance Law.

RESOLUTIONS - continued

Pursuant to Section 107.00 of the Local Finance Law, the proceeds from the sale of such capital notes will be provided prior to the issuance of the bonds herein authorized or bond anticipation notes. Said capital notes shall constitute the down payment required by Section 107.00 of the Local Finance Law.

Section 3. It is hereby determined that the period of probably usefulness of the aforesaid class of objects of purposes is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds, bond anticipation notes and capital notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

RESOLUTIONS - continued

Section 7. Upon this resolution taking effect, the same shall be published in full in the News-Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 8. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law and Article 7 of the Town Law.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#342     AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS RE:  
INSTALLATION OF BURGLAR & FIRE ALARMS

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Town Clerk, be and is hereby authorized to publish and post an advertisement for bids for the installation of burglar and fire alarms in Town Buildings, to be published in the News-Review on July 26, 1979 and said bids to be opened on Thursday, August 9, 1979, at the Town Clerk's Office at Town Hall.

NOTICE TO BIDDERS

NOTICE is hereby given that SEALED BIDS for Installation of Burglar and Fire Alarms will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, at 11:00 A.M., prevailing time, on Thursday, August 9, 1979, at which time and place they will be publicly opened and read for the following contract:

INSTALLATION OF BURGLAR AND FIRE  
ALARMS IN TOWN BUILDINGS

Plans and specifications may be obtained at the Town Hall and the office of the Consulting Engineers, HOLZMACHER, McLENDON & MURRELL, P.C., 560 Broad Hollow Road, Room 204, Melville, New York 11747, upon deposit of Fifty Dollars (\$50.00) for each set furnished.

Deposits for plans and specifications will be refunded to bidders who return plans and specifications within ten (10) days in good condition; other deposits will either be partially or not refunded if the plans and specifications have not been returned in good condition within thirty (30) days after bids have been opened.

RESOLUTIONS - continued

Each proposal must be accompanied by a Certified Check or Bid Bond in the amount of five percent (5%) of the total bid, made payable to Allen M. Smith, Supervisor, Town of Riverhead as set forth in the Information to Bidders.

The Town Board reserves the right to reject any or all bids, to waive any informalities and to accept such alternate bids which, in the opinion of the Town Board, will be in the best interests of the Town.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#343      AUTHORIZING PUBLICATION OF NOTICE TO BIDDERS - Michigan  
Payloader

Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the Town Clerk be and she hereby is authorized to publish and post the following Public Notice calling for bids.

NOTICE TO BIDDERS

Sealed bids for the repair of a Michigan Payloader, Cummins Engine, for the Sanitation Department, Town of Riverhead, New York, will be received by the Town Board of the Town of Riverhead at the direction of the Town Clerk at 200 Howell Avenue, Riverhead, New York until 11:00 A.M. on July 24, 1979, at which time and place they will be opened and read. Instructions for bidders, specifications, bid forms and forms of contract may be obtained at the office of the Town Clerk, 200 Howell Avenue, Riverhead, New York. Bids shall be on the form as prepared by the Town of Riverhead.

The Town Board of the Town of Riverhead reserves the right to reject any and all bids or to waive any informalities. It also reserves the right to hold any and all bids opened for a period of thirty days from the date of opening. All bids must be in a sealed envelope clearly marked "Repair of Michigan Payloader".

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#344      AUTHORIZES TOWN CLERK TO PUBLISH AND POST FOLLOWING  
NOTICE - Frank Schlegel

Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the Town Clerk be and she hereby is

RESOLUTIONS - continued

authorized to publish and post the following Public Notice calling for a public hearing for a special permit application of Frank Schlegel pursuant to section 108-48(B.)(2.) of the Town Code to construct a warehouse and storage yard as a non-nuisance industry.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on August 7, 1979 at 8:15 P.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons concerning the special permit application of Frank Schlegel pursuant to section 108-48(B)(2) of the Town Code to construct a warehouse and storage yard as a non-nuisance industry. The proposed warehouse and storage yard is to be located on the north side of Route 25 between the intersection of Route 25 and 25A and Timber Drive in the Hamlet of Calverton, New York. Any person wishing information on this application may examine it at the Office of the Town Clerk during normal business hours. Any person wishing to address the Town Board with reference to this matter should appear at the above stated time and place and they will be heard.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#345 GRANTS SPECIAL PERMIT FOR GAS STATION

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

WHEREAS, A special permit application for a gas service station and repair shop to be located on the south side of State Route 25, Riverhead, New York approximately one mile east of the Village of Jamesport was filed on April 12, 1979, by Courage Realty Corporation, and

WHEREAS, By resolution dated July 5, 1979, the Planning Board recommended to the Town Board that the special permit application of Courage Realty Corporation be approved, and

WHEREAS, A hearing was held before the Town Board of the Town of Riverhead on May 15, 1979, wherein no opposition to this application was heard,

NOW, THEREFORE, be it

RESOLVED, That the special permit application of Courage Realty Corporation to operate a gas service station pursuant to section 108-26 of the Town Code be granted on the condition that no more than two motor vehicles should be permitted to stand outside the confines of the garage building during night time hours, and no such vehicle shall remain stored outside for more than seven consecutive days, and air for the inflation of tires shall be supplied to the public free of charge during normal business hours.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#346      RESOLUTIONS - continued  
AUTHORIZES PUBLISHING AND POSTING OF FOLLOWING  
NOTICE - Estate of Sadie Barbanel

Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

WHEREAS, A contract for the sale of property has been negotiated by the Estate of Sadie Barbanel and the Town of Riverhead set forth in the following notice,

NOW, THEREFORE, be it

RESOLVED, The Supervisor, Town Clerk, and Town Attorney be and they hereby are authorized to publish and post the following notice, and further are authorized to execute said contract on the passage of the requisite period of time.

PUBLIC NOTICE

PLEASE TAKE NOTICE, That pursuant to section 220 of the Town Law, the Town Board of the Town of Riverhead by resolution adopted July 17, 1979, authorized the execution of a contract for the purchase of real property which is subject to a permissive referendum upon petition as is provided by section 90, et seq. of the Town Law. The said resolution authorized the following contract for the sale of real property: An agreement between the Town of Riverhead and the Estate of Sadie Barbanel for the purchase of real property located on the easterly side of Maple Avenue approximately 40 feet south of Northville Turnpike in the Town of Riverhead, County of Suffolk, and State of New York. It is proposed that the cost of acquisition of this property be paid from Drainage Bonds Funds of the Town of Riverhead.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#347      DENIES SPECIAL PERMIT APPLICATION OF WILLIAM H. BRASBY  
Councilman Young was offered the following resolution  
which was seconded by Councilman Menendez.

WHEREAS, William H. Brasby has applied to the Town Board of the Town of Riverhead for a permit for an off-premises directional sign pursuant to section 108-56(P.) of the Town Code, and

WHEREAS, The Town Board has considered the necessity for such directional sign as it exists taking into account its size, of approximately 32 square feet,

NOW, THEREFORE, be it

RESOLVED, That the Town Board of the Town of Riverhead hereby denies the application of William H. Brasby for a special permit for a directional sign pursuant to section 108-56(P.) of the Town Code.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.



RESOLUTIONS - continued

Before Resolution #348 was offered, Supervisor Smith stated: "Is anybody here interested in seeing the Riverhead Brake Plan before we act on it?"

No one wished to see it at this time.

#348     APPROVES SITE PLAN FOR RIVERHEAD BRAKE SERVICE, INC.,  
              SUBJECT TO CERTAIN CONDITIONS

Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, Joseph A. and Doris C. Zinna have applied for approval of a site plan of certain premises known as Riverhead Brake Service, Inc., on East Main Street, east of the intersection of East Main Street and Hubbard Avenue, and

WHEREAS, The Code of the Town of Riverhead provides for site plan review of all structures within commercial and industrial zone areas of the Town of Riverhead,

NOW, THEREFORE, be it

RESOLVED, That the Town Board does hereby approve said site plan, entitled "Site Plan of Riverhead Brake Service, Inc.", prepared by Howard W. Young, last dated, July 3, 1979, subject to the condition that the area between the warehouse on Hubbard Avenue and Tyte Drive be planted and landscaped in conformity with the directions of the Building and Zoning Administrator.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#349     TRANSFER OF FUNDS

Councilman Lombardi offered the following resolution which was seconded by Councilman Regula.

RESOLVED, That the Supervisor be, and he hereby is, authorized to make the following budget adjustment in the General Town Account:

A0599	Appropriated fund balance	\$25,000.00
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A2850.900	Transfer of Municipal Garage Fund	\$25,000.00
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The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued#350 AUTHORIZING NEW MUNICIPAL GARAGE BUDGET FOR 1979

Councilman Young offered the following resolution which was seconded by Councilman Menendez.

RESOLVED, That the Supervisor be, and he hereby is authorized to create a Municipal Garage Budget for the year 1979, and to make the following transfers:

M2801 Services other Departments \$27,900.00

M2810 Transfer from General Town \$25,000.00

M1690.100 Personnel Services \$23,900.00

M1690.400 Contractual Expenses \$25,000.00

M1690.800 Fringe Benefits \$ 4,000.00

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#351 APPOINTS DIANE FORGIONE AS REPLACEMENT TEMPORARY SUMMER EMPLOYEE

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, The Riverhead Town Board has hired Mr. Frederick Edel as a temporary Summer Employee and,

WHEREAS, Mr. Edel has submitted a letter of resignation as of July 16, 1979 to Supervisor Allen M. Smith,

THEREFORE, BE IT RESOLVED, That Diane Forgione hereby be appointed to the position of Temporary Summer Employee as a replacement for Mr. Edel at a rate of pay as stated below, to serve at the pleasure of the Town Board, effective July 16, 1979.

Employee  
Diane Forgione

Rate  
\$3.12 per hour

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes,

The resolution was thereupon declared duly adopted.

#352 AUTHORIZES PUBLICATION OF PUBLIC HEARING

Councilman Regula offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the Town Clerk be, and she hereby is,

RESOLUTIONS - continued

authorized to publish and post the following notice of public hearing.

PUBLIC NOTICE

PLEASE TAKE NOTICE That, pursuant to Section 1640(6) of the Vehicle and Traffic Law of the State of New York and other applicable statutes and local laws, a public hearing will be held on the 7th day of August, 1979, at 8:00 P.M., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with respect to the proposed amendments to the Riverhead Town Code, which pertain to the addition to Chapter 101, Article 5, Section 101-16, Parking Fields, as follows:

The Town Board may, by resolution, adopt such regulations as it may deem just and proper for the regulation of parking, stopping and standing in public parking fields. Such regulations may include, but are not limited to, restrictions on the time parking stalls may be occupied, and the length of time they may be occupied. Such regulations, when adopted, shall be on file with the Town Clerk for public inspection. Enforcement of said regulations shall be conditioned upon proof of signing and/or striping in the regulated parking fields, so as to provide reasonable notice of the subject regulations.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#353      MODIFIES RULES AND REGULATIONS FOR DEDICATION OF PUBLIC HIGHWAYS PERTAINING TO FRESH POND LANDING SUBDIVISION

Councilman Menendez offered the following resolution which was seconded by Councilman Young.

WHEREAS, Clarendon Construction Corporation has appeared before the Planning Board for approval of a subdivision known as Fresh Pond Landing, and

WHEREAS, Clarendon Construction Corporation has requested modification of the rules and regulations for dedication of public highways to the extent that the roads in said subdivision should be only paved to the width of twenty-eight (28) feet, and

WHEREAS, The Planning Board has recommended approval of said modification of the rules for dedication of public highways, and

WHEREAS, Clarendon Construction Corporation has requested a waiver of said rules from the Highway Superintendent as is provided for in said rules, and

WHEREAS, Alex E. Horton, Superintendent of Highways, by letter, dated June 19, 1979, approves paving of the roads in said subdivision to a width of twenty-eight (28) feet,

NOW, THEREFORE, be it

RESOLVED, That this Town Board does hereby modify the

## RESOLUTIONS - continued

rules and regulations for the dedication of public highways as requested by Clarendon Construction Corporation to the extent that the paved portions of the highways shown in the subdivision, known as Fresh Pond Landing, shall be twenty-eight (28) feet in width and, except as so modified as to width, all other rules, regulations and resolutions pertaining to the Fresh Pond Landing subdivision are hereby ratified and continue in full force and effect.

The vote, Regula, Yes, Lombardi, Yes, Menendez, Yes, Young, Yes, and Smith, Yes.

The resolution was thereupon declared duly adopted.

#354         PROCLAMATION   -   RIVERHEAD FIRE DEPARTMENT RECOGNITION  
DAYS

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Before the following resolution was offered, Supervisor Smith stated; "I will take the liberty of offering a resolution this evening, which would be resolution #354 and it reads as follows:

Supervisor Smith offered the following resolution which was seconded by the Entire Board and Unanimously Adopted.

WHEREAS, It is just and fitting that this Town Board recognize and commend the several Fire Departments that comprise the volunteer fire service in the Town of Riverhead, and

WHEREAS, The men of the volunteer fire service stand ready to risk their lives to save other people's lives and property - twenty-four hours a day - three hundred and sixty-five days a year - in good weather and bad, no matter how large the danger, and

WHEREAS, Once a year, during the months of July and August, these men ask for your support and recognition, and

WHEREAS, The men of the Riverhead Fire Department will be asking for your support by mail and by a door-to-door canvass of the homes and businesses they protect,

NOW, THEREFORE, be it

RESOLVED, That the days from July 29th to August 12th are hereby proclaimed to be

RIVERHEAD FIRE DEPARTMENT RECOGNITION DAYS

and each homeowner and business person in the Riverhead Fire District is asked to contribute to help support the Riverhead Fire Department and its many worthwhile activities.

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:00 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public hearing to be held at Town Hall on July 17, 1979 at 8:00 P.M. to hear all interested persons wishing to be heard with regard to the proposed Local Law #1 - 1979.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Mr. Saxtein, would you brief us on that one please?"

Henry Saxtein, Town Attorney: "Under new provisions of the General Municipal Law, a town, and the Home Rule Law, a town is permitted to authorize certain officials to issue appearance tickets to people for housing code violations, building code violations, fire violations, sanitary violations, etc. That's what this local law does. It authorizes certain officials to issue appearance tickets to people, in order for the court to get jurisdiction on them."

Supervisor Smith: "Very similar to traffic tickets?"

Henry Saxtein: "Same thing as a traffic ticket, yes."

Supervisor Smith: "Is there anyone here this evening who wishes to offer testimony either for or against the granting by this Town Board, the authority to its health and building inspectors to issue appearance tickets?"

Bill Nohejl, Wading River; "This doesn't pertain to fire zones, does it?"

Supervisor Smith: "If there were, in fact, a fire zone in effect, I imagine witnessing a violation, they could issue a citation. No, wrong, I'm sorry."

Henry Saxtein: "Something in Wading River that Mr. Nohejl's speaking about is in the sole jurisdiction of the Police Department, not the Building Inspector."

Supervisor Smith: "As a vehicle and traffic matter."

PUBLIC HEARING - continued  
Henry Saxtein: "That's correct."

Supervisor Smith: "Anyone else?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:01 P.M.

PERSONAL APPEARANCES

Bill Nohejl: (inaudible)

Supervisor Smith: "Yes Sir, you may."

Bill Nohejl. Wading River; "In reference to the Clarendon Development, 28 foot, against 55, I think it's a good move. I think it should be done a lot in the rural area to keep it rural instead of going to the extra 55 and putting the burden onto the property owner and the builder. Does this — are you expecting to do it more often or is it just going to be a one-time case?"

Supervisor Smith; "I think you're going to see it more often upon recommendation of the Planning Board. It was a matter discussed by the various boards of the Town at a Joint Board Meeting some several months ago, and it will take, of course, a recommendation from the Planning Board as occurred here and a recommendation from the Highway Superintendent to affect the lesser footage. The road remains a 55 foot road."

Bill Nohejl: "I hope it's not just for one builder. I hope everyone receives equal opportunity to . . ."

Supervisor Smith: "For whatever reasons other builders have not at this point have applied under the rules and regulations for the dedications of highways for a waiver."

Bill Nohejl: "Has it been at — known to them that they can do it."

Supervisor Smith: "This is the first time in my memory, I guess the cost of the bituminous asphalt is such that it forces

PERSONAL APPEARANCES - continuedSupervisor Smith continues

builders to make such considerations and this is the first application that we received of that nature."

Bill Nohejl: "Because there are a lot of charming areas, that would fit a 28 foot road instead of a 55 foot road, you made big public highways out of them and I think you ruined the character of the area. And I think where this development is going to be up there, I think it's appropriate that a 28 foot road be in there and to keep it more of a cozy atmosphere. But as I said I hope it would be available to everyone under these conditions that if it's in a wide open area where there's a lot of congested area and there should be a 55 foot road, I understand that. But to keep it nice and rural, like some of the areas, I say a 28 foot road is good.

I noticed you turned down the Brasby application for the sign. Now, there's one sign that is bothering me and I don't think it's appropriate and that's the Dry Docke sign, strictly on County property."

Supervisor Smith: "Yes, you may recall, the night that one came before us, I stated that nothing that the Town Board did with reference to the size of the sign or the location we granted him permission to be at, would give him permission to be in the state right-of-way. That sign is no where near where we approved it."

Bill Nohejl: "Why is it overlooked?"

Supervisor Smith: "I don't know it's being overlooked."

Bill Nohejl: "It's been there about a month."

Supervisor Smith: "Well I will see that a citation is issued."

Bill Nohejl: "And another sign, I just came to Riverhead, got off the expressway, a great big greeting sign, "Big Flea Market one mile east"."

Supervisor Smith: "It's a new one on me, we'll look into that one."

PERSONAL APPEARANCES - continued

Bill Nohejl: "I mean you've been harping on improving the appearance coming into Riverhead, right by the yield sign going off the expressway coming onto 58, a big sign, "Giant Flea Market, one mile east"."

Supervisor Smith: "We'll take care of it. Okay."

Councilman Young: "It looks like an amateur sign?"

Bill Nohejl: "No it isn't an amateur sign."

Councilman Regula: "Is it a temporary thing, Bill?"

Bill Nohejl: "You saw it George."

Councilman Young: "I thought I saw it."

Supervisor Smith: "All right, we'll go on both of them, Bill. Yes ma'am."

Joyce Hettrick, Manorville: "Has anything been accomplished with the dam on Stemmler's Road."

Supervisor Smith: "George?"

Councilman Young: "I spoke to your husband Thursday night and Friday morning I called Alex Horton and he said that he would be willing to put either a bigger pipe or a second pipe under the road if the Town Board would authorize it. And that he would as soon as he could, get a letter into the Town Board telling us how much it would cost. This was on Friday. Today I spoke to the Town Board and the Town Board has agreed to do it depending on the cost when Alex's letter comes in. Alex's letter hasn't come in yet, but I imagine it will take him a day or two to do it and we only started on it Friday, so I'll call him tomorrow and you should have a letter in a few days."

Joyce Hettrick: "Okay thank you."



PERSONAL APPEARANCES - continuedSupervisor Smith; "Thank you Ma'am. Mr. McKay?"

Tom McKay, Member of the Board of Assessors, Town of Riverhead; "And I have a little complaint to make on the building department. We had a lot of complaints today and the reason of that is because one or two — one member of our building or planning department has made a lot of things that these people cannot do. They're summer residents and we had plenty complaints today. We had plenty of them. And I think something should be done about that.

Another thing, I have a former complaint on my personal thing. I hold a mortgage on a farm on Mill Road and the people that rented this farm moved out and I just happened to notice on Friday night and I backed my car up and I saw all these cars and ducks and chickens and ducks are not there any more. So I went and checked into the house and they were gone. Saturday morning I called up one of the Justices of the Peace, Town of Riverhead, and he says check with your police Department. And I checked with my Police Department and this officer said it was a civic matter....

Now here these people here — I was trying to watch what I had in my own home, what I hold mortgage on, right, and he said civic matter and they wouldn't come. And in the meantime, when I locked up everything in the afternoon when I was at my residence at 990 Harrison Avenue, here comes the Police Department saying that there was a van in the yard and accusing me of stealing this van. I didn't see no van in that yard. Why did they come for a van. I saw it Friday night. It was worth maybe \$50, \$100. But here I have value in my property worth maybe a quarter of a million dollars and they wouldn't come, just to verify that these people were going to vandalize my place. I can't understand that and Mr. Supervisor you know about that and several members of the Town Board you know about that. And I want something done about this. I can't understand that."

Supervisor Smith: "Thank you Mr. McKay."Tom McKay: "Okay."Supervisor Smith: "Yes Sir."Tom McKay: "Thank you."Supervisor Smith: "We, obviously, have thrown the meeting

PERSONAL APPEARANCES - continuedSupervisor Smith continues:

back open to anyone choosing to address the Town Board on any matter. There are a number of hearings coming up in the next few — Is there anyone who wishes to take advantage of the opportunity to be heard on any matter that is not the subject of one of the public hearings. Yes Sir."

Dick Benedict, Fanning Blvd., Riverhead; "I come to a lot of Town Board Meetings and I hear a lot of money being spent on drainage. I have a drainage problem that doesn't require money, it requires the County to come down and straighten out their own problems. Why is it that the Town can't get the County to take care of something free. We have enough problems we can pay for, why can't they take care of that mess free?"

Supervisor Smith: "Well Mr. Benedict, I, as one member of the Town Board, I did the best I can to get the County to do what you and I might agree is the solution to a County problem. I can only tell you, for instance, with reference to drainage problems on County Road 58, as an analogy, that Mr. Hurley has spent almost the entire two years of his term attempting to straighten out just one of those drainage problems. As I have spoken to you on the phone, I am still trying to get you some relief with reference to that particular location as best I can."

Dick Benedict: "That's also Route 58, by Edwards. It is also Northville Turnpike by the Church and it's Middle Road by my property."

Supervisor Smith: "Yes Sir, I know that."

Dick Benedict: "And it's just a matter of maybe coming down and cleaning the thing out. The sand that's leached in there over the years. The sump on Northville is almost useless. It's almost full."

Supervisor Smith: "Mr. Benedict, I have done it before and I have talked, pled, and wandered around in the rain with Mr. Hurley, dealt with the County Engineers as best I can to get something done at that particular location. I will again do that. I am not a member of the County Legislature. In the East End, we have a great deal of difficulty of getting them to do anything for us out here and we're trying to do the best that we can with very little or not power over them,"

Dick Benedict: "Thank you."

PERSONAL APPEARANCES - continued  
Supervisor Smith: "Yes Sir."

Supervisor Smith recessed the meeting for five minutes after which the meeting resumed to hold a public hearing.

PUBLIC HEARING - 8:15 P.M.

The Town Clerk submitted affidavits of publishing and posting of notice of public hearing to be held on July 17, 1979 at 8:15 P.M. at Town Hall to hear all interested persons wishing to be heard regarding the special permit application of Magee Service to install a 10,000 gallon fuel tank on the south side of County Road 58, Riverhead.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Ladies and gentlemen the particular site in question is the existing Magee oil storage facility which is approximately opposite J.J. Hart. What the applicant wishes to do is to install an in-the-ground 10,000 gallon fuel tank for the purposes of the storage of fuel. If there is anyone present that chooses to address the Town Board with reference to that particular application, now is the time to speak. Is there anyone here to address the application of Mr. Magee? Yes Sir."

Robert Sauret, Executive Officer of Magee Service, Inc., "My proposal Sir, to everyone on the Board, the purpose of this additional storage, is to provide an adequate inventory, which we think will be an adequate inventory of a specific product, kerosene. I've appeared before the County. I've appeared before the Planning Board. And apparently, not too many people are aware of the problems with the petroleum industry today. I'd just like to say one word about this one product that exists today and that is the fuel, the kerosene that is provided to all the mobile homes in this area. This is a very critical problem today because the major refineries do not want to interrupt their desolate run for kerosene and the reason is very obvious. The demand is small by comparison to other desolate products such as (J.P. Forth?) jet fuel, diesel fuel and heating oil. That's a desolate run. And there are times in the year, that this product is run disrupting the big demand item, mainly jet fuel. They don't like to do it and some companies have completely gone out of the kerosene desolate run because of the small demand.

Our concern is the community in Riverhead right now, because of all the mobile homes require kerosene. My prime supplier of kerosene is Exxon, thank goodness. Approximately two months ago, I was in New Jersey at a meeting with Chevron, later with Texaco, later with Gulf. All of them had disbanded

PUBLIC HEARING - continuedRobert Sauret continues;

kerosene because of the limited quantities that are required on the eastern seaboard. So it leaves us in a position that we either abandon the kerosene for the mobile homes, or provides the additional storage in which we think it's a moral obligation, as well as a business obligation to the community and we have asked that everyone recognize the petroleum problems today. Not only was an individual product such as this, but also there are problems now with diesel fuel whether you are aware of it or not. Farmers no longer have any kind of priority. They don't have anything. I have used my diesel allocation for the entire month. It's been dry four weeks without any rain. I attempted to go to the Department of Energy and the New York State to set aside a program, they could care less about the eastern end of Long Island and particularly the farmers. They are very disinterested. I have used my quota. But primarily on the kerosene which is the original application, I thought I was doing the right thing in applying for this additional storage. I'm hesitant now, honestly, for one reason. Even though we have an allocation for X number of gallons throughout the year, there were three occasions in this past winter even though I had the allocation, it was not available. The reason the refineries did not want to interrupt the jet fuel production and the diesel fuel production for trucking mass transportation. There is only one priority use today in petroleum products that's mass transportation.

Everything else is secondary. Department of Energy Rule #10, so we do have a distinct problem mutually and the reason I'm hesitant even at this point, whether I want to go through with this, I probably will, if you grant it, is the tremendous expense the corporation will bear. The price restrictions which the petroleum industry has today, go back to 1973. I think it's the only industry in the United States that has price controls.

And one other thing that I feel is very very difficult, as you gentlemen may be aware of, is the presentation, I believe, the County, Suffolk County and Nassau County has developed storage facilities underground either vaulting or inspection every several years for determination of leaks.

I made my presentation to the Town Planning Board where I would put a quarter inch plate, 10,000 gallon tank which is equal to two gauge. The standard gauge of the industry is seven. My presentation was for three times the thickness of the tank and the manufacturer sent us a letter which I presented to the Planning Board that the life expectancy is indefinite. If I'm so favored with a decision by the Board, I'd probably go ahead with this only for one reason, moral obligation. Thank you."

Supervisor Smith: "Thank you Sir. Sir excuse me."

PUBLIC HEARING - continued

Councilman Menendez: "Mr. Sauret, may I ask one question please? What is the status of fiberglass tanks now? Are they considered better than metal or vice versa?"

Robert Sauret: "It depends upon the chemistry, the soil conditions. It depends upon the water table. It depends upon the actual movement. Structurally nothing is stronger than what I have presented in quarter inch plate. There have been occurrences of cracking in fiberglass. The price is also prohibitive. Large major companies can afford this. A small local organization like ours cannot."

Councilman Menendez: "It's a matter of economics then?"

Robert Sauret: "I beg your pardon?"

Councilman Menendez: "It's a matter of economics."

Robert Sauret: "Primarily economics yes, but I don't think it's as practical as quarter-inch steel."

Councilman Menendez: "Do you think they'll ever be a time when the County or the State will require that all underground tanks will be fiberglass?"

Robert Sauret: "No Sir, not in the industry. It has not even been considered."

Councilman Menendez: "Okay, thank you."

Robert Sauret: "Yes Sir. Anybody else?"

Supervisor Smith: "Thank you Sir. Is there anyone else who is here this evening to speak with reference to the application of the Magee company for the installation of this tank as has been described?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:29 P.M.

Supervisor Smith: "We will not only rely upon the record made here this evening, but the record made before the Planning Board and our own knowledge of the application, the laws, and rules of the Town of Riverhead in making our decision."

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:30 P.M.

The Town Clerk submitted affidavits of publishing and posting of a public hearing to be held at Town Hall on July 17, 1979 at 8:30 P.M. to hear all interested persons wishing to be heard regarding the proposed amendments to the Riverhead Code.

The affidavits were ordered to be placed on file.

Supervisor Smith: "Mr. Saxtein, again would you outline these particular code amendments?"

Henry Saxtein: "There's basically three groups of amendments. One group of amendments deals with the proposed amendment to the sign ordinance permitting a particular type of sign for farm stands. This would be one small sign of approximately twenty square feet and the sign would permit additional removable signs designating varieties of fruits, vegetables or fish, etc., to be sold at the farm stand. This would be one main sign at a stand, or possibly more if it's a very large stand rather than having dozens of signs all over the place on the stand.

Another amendment we have is an amendment to 108-56(P) for directional signs putting a maximum size on the sign of twenty-four square feet and removing from the determination of the Town Board such factors as material, height, size and color.

Further amendment is to section 108-64 for temporary trailer of pre-fabricated dwellings. These would be permitted on residential or agricultural zones when a home has been damaged by fire or by an act of God and the home is still repairable and the people wish to have it repaired (tape ends) — current sewerage connections, and this for one six-month period upon application to the building department and a six-month extension upon application to the Zoning Board of Appeals.

Further, when there's an amendment to notice of violations for the building code and this would change these violations to a violation under the law. Also it would permit the person to be served for one of his violations by an appearance ticket which we alluded to earlier. It additionally says, another amendment

PUBLIC HEARING - continuedHenry Saxtein continues:

section 68-42 permit — I'm sorry it deletes a section for a hearing before the Town Board. This was an antiquated section of the code which has not been used in recent memory of anyone I spoke with here."

Supervisor Smith: "Okay, thank you Mr. Saxtein. If there's anyone here that chooses to address the Town Board on any of these amendments to the various — Mrs. Stark."

Patricia Stark, Co-chairman of Townscape; "I believe this would be on the second amendment. And Townscape recommends that each merchant be allowed a two foot by four foot off-premise sign of uniform size, shape and color. When several businesses are located in the area, a directory sign will be erected, each merchant will be permitted 1½' by 4' upon approval of the Town Board.

And a local sign maker has drawn up a sample of one of these directory signs."

Supervisor Smith: "This is essentially then, Mrs. Stark a continuation of the program erecting kiosks in regular areas in the Town as directional signs. These would be at major intersections perhaps."

Patricia Stark: "That's correct. This also complies with the directional signs that are already approved for shopping centers."

Supervisor Smith: "Yes Ma'am."

Irene J. Pendzick: "Pat, could I have that statement? It helps a lot."

Supervisor Smith: "All right is there anyone else with reference to the amendments that are proposed? Yes, Mr. Nohejl?"

Bill Nohejl, Wading River; "I'm vague on what Mr. Saxtein said about the farm stand, how the signs will be — could be a double face sign or could be a — could you give me a better analysis of it please?"

PUBLIC HEARING - continued

Supervisor Smith: "I do believe, Bill, off the top of my head, it's a double-face sign."

Henry Saxtein: "It's basically a double face sign. It will permit one large permanent sign of twenty square feet which will be able to be used for the name of the farm stand . . ."

Supervisor Smith: "Or anything else."

Henry Saxtein: "Or anything."

Bill Nohejl: "In what height?"

Supervisor Smith: "Why don't we do this Mr. Nohejl. Why don't we get you a copy of it specifically and I'll hold it . . ."

Bill Nohejl: "I mean there's other people here who are interested in farm stand too, because it pertains to farmers in general, who have farm stands."

Henry Saxtein: "Shall I read the notice?"

Supervisor Smith: "Yes Sir."

Henry Saxtein: "Each farm stand shall be allowed one (1) freestanding, non-falshing, non-moving on-premises sign, not exceeding twenty (20) square feet in sign area and not exceeding eight (8) feet in vertical height from the mean land of the ground surrounding the sign. Said sign shall be twenty-five (25) feet from each side line and ten (10) feet from the front and/or rear property line.

A farm stand sign shall be made up of one or more signs, one describing the name of the business, not exceeding eight (8) square feet and up to six separate removable signs designating the varieties of fruits, vegetables, or fish sold at the farm stand.

The area of the sign shall be determined by the smallest rectangle that encompasses the sign designating the name of the business and the removable signs designating the products offered for sale.

Under the section that this is proposed to amend, it



PUBLIC HEARING - continuedHenry Saxtein: continues

also states that signs may be double faced."

Bill Nohejl: "Under the ordinance, amendment, will it allow you to put temporary signs and take them in the same day? Would it be allowed or otherwise that putting them on underneath?"

Supervisor Smith: "The purpose is to have that kind of a sign, that if you corn, for instance, that particular day, you'd have little eyelets in it and you'd hang it out under the sign. You'd have may be as many products as you might have. You have corn, asparagus, strawberries, when they're in season, sod. It's like a shopping center sign, but smaller.

Anyone else on any of these, whether it's farm stands, or otherwise?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:39 P.M.

Supervisor Smith: "I will note for the record, we have other testimony available to us on these matters and recommendations. We will make a decision considering not only that which was said tonight, but our general knowledge of the matters involved."

Supervisor Smith recessed the meeting to hold a public hearing.

PUBLIC HEARING - 8:45 P.M.

The Town Clerk submitted affidavits of publishing and posting of a notice of a public hearing to be held at Town Hall on July 17, 1979 at 8:45 p.M. to hear all interested persons wishing to be heard regarding the application of Edward Zilnicki to erect and maintain a mobil home as a residence for not more than four farm laborers at a Type 6 Camp.

The affidavits were ordered to be placed on file.

Supervisor Smith: "What is proposed is the — this is a matter that has been around for a long period of time and has essentially begun before the Zoning Board of Appeals with reference to any variances that might be required and was referred to us

PUBLIC HEARING - continuedSupervisor Smith continues

not by the Planning Board, in this particular instance, but by the Zoning Board of Appeals. What Mr. Zilnicki proposes to do is to build a — not build, to bring in a mobile home that is 50 feet long, ten feet wide and place it immediately to the south of his barn, about 42 feet from one side of his barn and 118 feet off of Roanoke Avenue. The purpose that Mr. Zilnicki proposes of this particular mobile is to house therein farm laborers who have been working for his family and for his brother's family for numbers of years, has been done on the east side of the road for some period of time. We're talking about, in this particular instance three people, but not more than four. This type of farm labor has lived on the Zilnicki farm for about twenty-five years.

Is there anybody who is here this evening who would address the Town Board either for or against the application by Mr. Zilnicki. If no one's here to speak, yes Sir?"

Tom McKay, 990 Harrison Avenue, Riverhead; "Mr. Supervisor, I approve of this building. They had one — a mobile unit — they had one on their property before. I guess according to the zoning change that they're going to put a larger one in and I approve of it. And these people have been there all my life long. And longer than yours, too, Allen, Mr. Smith, and I guess anyone of you members of the Town Board. And I approve of this and I don't think there should be any . . ."

Councilman Young: "The same people, right?"

Tom McKay: "Yes."

Councilman Young: "And they live there?"

Tom McKay: "They just want to change the mobile unit to a larger one to make it more convenient."

Councilman Young: "So they want to move from a smaller mobile home to a bigger mobile home and they're just taking the same three people . . ."

Tom McKay: "Right. Put them to a larger — make it more convenient for them."

PUBLIC HEARING - continued

Supervisor Smith: "Thank you Sir."

Tom McKay: "Thank you."

Supervisor Smith: "Mr. Zilnicki?"

Ed Zilnicki, Roanoke Avenue, Riverhead; "I would like to place a mobile home on my property to house three seasonal farm workers. The reason I need a new trailer is because of an estate settlement, my brother's death. The property on which the old trailer exists now, belongs to my brother Walter.

I have located a 1975 trailer, which the building department said I had to get a '74 or newer, because of the New York State Fire Code Seal.

For the past twenty of the thirty years, I was farming with my brother's, we have hired Puerto Ricans. The reason we hired Puerto Ricans is because we had the best luck with them and the old trailer which my brother has now is half the size. The new one that I located is 12' x 56' — 672 square feet. The old trailer always passed the County laws of which means three or less doesn't mean a labor camp. Four or more does, for New York State and the County. And according to the Riverhead Town laws they don't have a number that qualifies for the — less than a labor camp. So if there's any other question I can answer . . ."

Supervisor Smith: "I don't think so, Mr. Zilnicki. We'll see if anybody else has any."

Irene J. Pendzick: "Mr. Zilnicki could I have that?"

Mr. Zilnicki handed his statement to Mrs. Pendzick.

Supervisor Smith: "Mr. Nohejl:"

Bill Nohejl: "I'm in full accord with the placement of a trailer on Zilnicki's property to house temporary help. Thank you."

Supervisor Smith: "Thank you Sir. Anybody like to speak to the Town Board on this issue this evening?"

No one else wishing to be heard and no communications having been received thereto, Supervisor Smith declared the hearing closed at 8:54 P.M.

Supervisor Smith: "As I stated with reference to the prior hearings, we'll rely not only upon the testimony given this evening in this partiucular proceeding, but upon our knowledge of the area and the other matters before the Zoning Board of Appeals and Planning Board in this particular matter.

That brings us to five minutes of nine. Is there anyone choosing to address the Town Board on any other matter?"

No one wished to be heard at this time.

There being no further business on motion and vote, the meeting adjourned at 8:55 P.M.

A handwritten signature in cursive script, reading "Irene J. Pendzick". The signature is written in dark ink and is positioned above the printed name of the signatory.

IJP/vlv

Irene J. Pendzick, Town Clerk